

# UNITED STATES COURT OF APPEALS DISTRICT OF COLUMBIA CIRCUIT

333 Constitution Avenue, NW  
Washington, DC 20001-2866  
Phone: 202-216-7000 | Facsimile: 202-219-8530

## AGENCY DOCKETING STATEMENT

*Administrative Agency Review Proceedings (To be completed by appellant/petitioner)*

1. CASE NO. 23-1073 (cons. w/ 23-1032)      2. DATE DOCKETED: 3/16/2023
3. CASE NAME (lead parties only) Dahua Technology USA, Inc. v. FCC
4. TYPE OF CASE: ☒ Review ☐ Appeal ☐ Enforcement ☐ Complaint ☐ Tax Court
5. IS THIS CASE REQUIRED BY STATUTE TO BE EXPEDITED? ☐ Yes ☒ No  
If YES, cite statute \_\_\_\_\_
6. CASE INFORMATION:
  - a. Identify agency whose order is to be reviewed: Federal Communications Commission
  - b. Give agency docket or order number(s): ET Docket No. 21-323; EA Docket No. 21-233; FCC 22-84
  - c. Give date(s) of order(s): Released Nov. 25, 2022; Published in Federal Register Feb. 6, 2023
  - d. Has a request for rehearing or reconsideration been filed at the agency? ☐ Yes ☒ No  
If so, when was it filled? \_\_\_\_\_ By whom? \_\_\_\_\_  
Has the agency acted? ☐ Yes ☐ No If so, when? \_\_\_\_\_
  - e. Identify the basis of appellant's/petitioner's claim of standing. See D.C. Cir. Rule 15(c)(2):  
Petitioner participated in the rulemaking proceeding below. The FCC's Order imposes specific restrictions causing Petitioner to suffer an injury in fact that a favorable decision will redress.
  - f. Are any other cases involving the same underlying agency order pending in this Court or any other?  
☒ Yes ☐ No If YES, identify case name(s), docket number(s), and court(s)  
Hikvision USA, Inc. v. FCC, 23-1032 (D.C. Cir)
  - g. Are any other cases, to counsel's knowledge, pending before the agency, this Court, another Circuit Court, or the Supreme Court which involve *substantially the same issues* as the instant case presents?  
☒ Yes ☐ No If YES, give case name(s) and number(s) of these cases and identify court/agency:  
Hikvision USA, Inc. v. FCC, 23-1032 (D.C. Cir)
  - h. Have the parties attempted to resolve the issues in this case through arbitration, mediation, or any other alternative for dispute resolution? ☐ Yes ☒ No If YES, provide program name and participation dates.  
\_\_\_\_\_  
\_\_\_\_\_

Signature /s/ Russell M. Blau

Date 03-30-2023

Name of Counsel for Appellant/Petitioner Russell M. Blau

Address 1111 Pennsylvania Avenue, NW, Washington, DC 20004

E-Mail russell.blau@morganlewis.com

Phone ( 202 ) 373-6035

Fax ( 202 ) 739-3001

### ATTACH A CERTIFICATE OF SERVICE

**Note:** If counsel for any other party believes that the information submitted is inaccurate or incomplete, counsel may so advise the Clerk within 7 calendar days by letter, with copies to all other parties, specifically referring to the challenged statement.

**CERTIFICATE OF SERVICE**

I certify that on this 30th day of March, 2023, the foregoing was filed via CM/ECF. Service was accomplished on all parties or their counsel of record through the CM/ECF system.

Respectfully submitted,

/s/ Russell M. Blau

Russell M. Blau